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BEFORE THE

Arizona Corporation Commission

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JAN 22 2003

MISSION

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AZ CORP COMMISSION
DOCUMENT CONTROL

COMMISSIONERS
MARC SPITZER - Chairman
JIM IRVIN
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON

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CA

IN THE MATTER OF THE APPLICATION OF
SOUTHWEST GAS CORPORATION FOR
APPROVAL OF ACQUISITION PLAN AND, IF
APPROPRIATE, WAIVER OF SELECTED
PROVISION OF THE AFFILIATE RULES.

DOCKET NO. G-01551A-02-0425

STAFF'S REPLY TO AUIA'S
RESPONSE TO STAFF'S MOTION
TO STRIKE/ CLAIRIFY A PORTION
OF AUIA'S DIRECT TESTIMONY.

The Utilities Division Staff ("Staff") of the Arizona Corporation Commission ("Commission") hereby replies to Arizona Utility Investors Association, Inc.'s ("AUIA") Response to Staff's Motion to Strike (or in the alternative, clarify) a specific portion of the direct testimony of Walter W. Meek filed on behalf of AUIA in the above-captioned docket.

Pursuant to the Arizona Rules of Evidence, Rule 408, evidence of settlement/compromise negotiations, including evidence of conduct or statements made in such negotiations, are **not** admissible. AUIA's response confirms that identified portions of Mr. Meek's testimony are based on a document created for the sole purpose of settlement negotiations and Staff's statements during such negotiations. Thus, Meek's testimony of such is precluded under Rule 408.

For the foregoing reasons, Staff renews its request that page2 line 23 through page 4 line 27 of Walter W. Meek's direct testimony be stricken from the record in Commission Docket No. G-01551A-0425.

RESPECTFULLY SUMMITTED this 22nd day of January, 2003Arizona Corporation Commission
DOCKETED

JAN 22 2003

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Original and fifteen (15) copies of the foregoing
was filed this 22nd day of January, 2003, with:

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4 Phoenix, Arizona 85007

5 Copies of the foregoing was mailed
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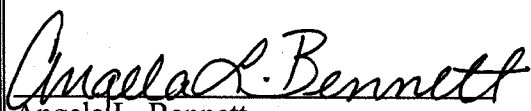
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